



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

November 8, 2002

Mr. Ashwin Patel
Global Petroleum Corp.
140 Lee Burbank Highway
Revere, MA 02151

RE: Discharge of Treated Petroleum Contaminated Stormwater

EPA NPDES Exclusion No: MA-02I-079

Dear Mr. Patel:

As of June 3, 2002, the On-Scene Coordinators (OSC's) in the Emergency Planning & Response Branch of EPA-New England (EPA-NE) will no longer issue National Pollutant Discharge Elimination (NPDES) Permit "Exclusion" letters in the states of Massachusetts and New Hampshire. EPA is the permitting authority for point source water discharge permits in these two states. Since the early 90's, EPA-NE has granted exclusions to the NPDES permit process under the authority of Section 122.3(d) of the NPDES regulations to allow expedited testing and cleanup of primarily gasoline and fuel oil contaminated sites for which a discharge of groundwater and incidental surface water was required following appropriate treatment. This process was necessary due to the large number of cleanups requiring permits and the time-frame necessary to issue individual NPDES permits.

Exclusion letters were developed for each site following submission and review of an application with various site information, test data, treatment type, and other facts. Discharge effluent limits, monitoring requirements and other special conditions were set out in the letters signed by the OSC in charge. EPA-NE has determined that we can no longer issue these exclusions except in circumstances where a response action is under the direct control of the OSC (either EPA or the USCG) as outlined in the National Contingency Plan (NCP). These determinations are made following notification to the National Response Center of a release of a reportable quantity of oil or hazardous substances.

We are in the process of developing a new General NPDES Permit to cover short and long term discharges from petroleum related remediation activities, which from experience constitute about 90 per cent of the exclusion requests received by the Region. We expect the lead time needed to become covered by the General Permit to be about the same as the current exclusion waiver process. We hope to have the General Permit published in the Federal Register as final and effective by the end of this year. We expect that the permit will be available for public comment on the EPA Web Site later this summer.

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

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Until the effective date of the General Permit, EPA-NE is requesting that you provide treatment of any such discharges to waters of the United States consistent with the limits and other requirements traditionally established in the Exclusion letters process.

***Please refer to "ATTACHMENT A" to this letter for the interim requirements for discharge.

Until a new Notice of Intent (NOI) form is available for the General Permit, you should complete the standard "NPDES Permit Exclusion Application-Incident Notification Report" form as is the current practice. Forms and instructions can be obtained from any of the contacts at the end of this letter. Completed forms should be sent to:

NH: Ms. Shelley Puleo
or
MA: Ms. Olga Vergara

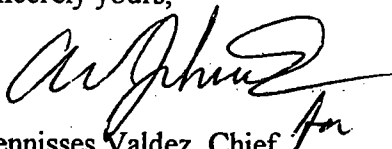
Mail Code: CMU
Office of Ecosystem Protection
Environmental Protection Agency
One Congress St, Suite 1100
Boston, MA 02114-2023

FAX No: (617) 918-2064

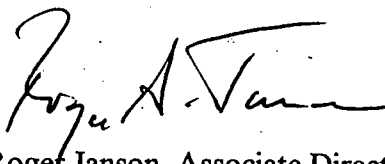
A copy should be sent to the appropriate MA and NH state contact as well.

If you have any questions or concerns about this process please contact John Hackler of the NPDES Program at (617) 918-1551 or Dorrie Paar of the Emergency Response Program at (617) 918-1265. Additional contacts for the NPDES Program include Olga Vergara for MA issues at (617) 918-1519 and Shelley Puleo for NH issues at (617) 918-1545. Thank you for your cooperation as we develop this new permit.

Sincerely yours,



Dennisses Valdez, Chief
Emergency Planning & Response Branch



Roger Janson, Associate Director
Surface Water Programs

cc. State of MA/or
State of NH

ATTACHMENT A

The discharge(s) referenced in the accompanying letter must be in accordance with the following provisions:

1. No discharge of oil, sufficient to cause a sheen (as defined in 40 CFR 110), occurs to the drainage system. The discharge of a sheen of oil or gasoline constitutes an oil spill and must be reported immediately to the National Response Center (NRC) at (800) 424-8802.
2. Security provisions are maintained to assure that system failure, vandalism, or other incidents will be addressed in a timely fashion, preventing the loss of oil or contaminated water to the drainage system.
3. The flow rate shall be maintained within acceptable operating parameters and shall not exceed the design flow of the treatment system. There shall be no bypass of the treatment system unless unavoidable to prevent loss of life, personal injury, or severe property damage. No filter backwash or other maintenance waters shall be discharged without treatment.
4. Sampling and analysis, in accordance with EPA Methods, must be performed for the following chemicals with the listed limits being applicable:

Total Petroleum Hydrocarbons (TPH)	5 ppm
Benzene	5 ppb
Toluene	*
Ethyl Benzene	*
Xylenes	*
The total for Benzene, Toluene, Ethyl Benzene, and Xylenes (BTEX)	----- 100 ppb
Naphthalene	20 ppb
Polynuclear Aromatic Hydrocarbons (PAH) (total isomers)	100 ppb
MtBE (MA Limit)	70 ppb

Should sampling indicate the presence of additional chemicals, discharge concentrations should not exceed the Federal Drinking Water Standards (MCL's) or 100 ppb, whichever is lower, in the effluent.

Solids - These waters shall be free from floating, suspended, and settleable solids in concentrations or combinations that would impair any use assigned to this class, that would cause esthetically objectionable conditions, or that would impair the benthic biota or degrade the chemical composition of the bottom sediments.

Color and Turbidity - These waters shall be free from color and turbidity in concentrations or combinations that are esthetically objectionable conditions or that would impair the use assigned to this class.

Laboratory samples must be obtained from the influent to treatment, and from the effluent to the drainage system once each day for the first, third and sixth day of discharge. These samples must be analyzed with a 72-hour turnaround time. If the system is working properly, sampling for the remainder of the month shall be weekly and then monthly thereafter. The turnaround time for these samples shall ensure that no more than seven days pass between the sampling event and when the results are received and reviewed by the contractor.

If analysis indicates that the effluent limits have been exceeded, then the system must be shut down immediately and the problem corrected. Upon restarting the system, a sample must be taken and there must be 24 hour turnaround for the results. If the analysis indicates that the problem has been corrected, then the sampling schedule shall resume. If not, then the system shall be shut down again and repaired.

4. Analytical Reports, with quality control information, are to be reported to EPA and the MADEP or NHDES Project Manager by the 28th of the following month. Reports to EPA should be sent to:

NPDES Permit Unit
Mail Code (CPE)
Office of Ecosystem Protection
Environmental Protection Agency
One Congress St., Suite 1100
Boston, MA 02114-2023

RE: NPDES [please include assigned reference # on bottom left of envelope and on all correspondence]

5. You, or your contractor, must maintain copies of all analytical reports, and quality control information for a period of 3 years from the date of the report.

You should consider these requirements to be in effect immediately and until such time as the effective date of the new General Permit.